

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
ASTRA AKTIEBOLAG, AKTIEBOLAGET  
HÄSSLE, KBI-E, INC., KBI, INC.,  
ASTRAZENECA LP,  
:

Plaintiffs,  
:

v.  
:

ANDRX PHARMACEUTICALS, INC.,  
:

Defendant.  
-----X

99 Civ. 8926

99 Civ. 9887

Order

M-21-81 (BSJ)

MDL Docket No. 1291

**BARBARA S. JONES**  
**UNITED STATES DISTRICT JUDGE**

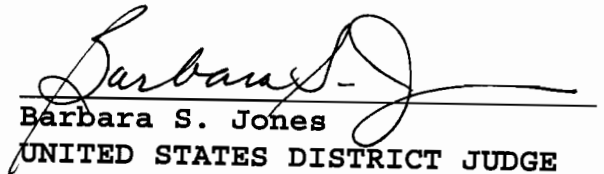
On February 16, 2010, Defendant Andrx Pharmaceuticals, Inc. ("Andrx") filed a motion to reargue or for reconsideration of the Court's February 2, 2010 decision, which granted Plaintiffs Astra Aktiebolag, Aktiebolaget Hässle, KBI-E, Inc., KBI, Inc., and Astrazeneca LP KBI-E, INC., KBI, INC. and Astrazeneca LP's motion to supplement and denied Andrx's counterclaim motion and Andrx's willfulness motion.

Reargument or reconsideration is warranted where a court has overlooked matters or controlling decisions which, had they been considered, might reasonably have altered the result, or where relief is warranted to correct a clear error or to prevent manifest injustice. See Local Rule 6.3; see also Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). "The standard for granting such a motion is strict, and reconsideration will

generally be denied unless the moving party can point to controlling decisions or data that the court overlooked-- matters, in other words, that might reasonably be expected to alter the conclusion reached by the court." Id. After reviewing the parties' submissions, the Court finds that it has not overlooked any controlling decision or other matters that might alter its decision.

Therefore, Andrx's motion to reargue or for reconsideration of the Court's February 2, 2010 decision is DENIED.

**SO ORDERED:**

  
Barbara S. Jones  
UNITED STATES DISTRICT JUDGE

Dated: New York, New York  
April 5, 2010